

REMARKS

Claims 1, 3 and 5 to 7 were pending in the application. Claims 1, 3 and 5 have been amended. No new matter has been introduced. Thus, claims 1, 3 and 5 to 7 are submitted for reconsideration at this time.

Rejections Under 35 U.S.C. § 112, ¶2

Claims 1, 3, 6 and 7 stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claim 1 is rejected for lacking proper antecedent basis for "the surface of the silicon-based film". Additionally, claim 3 is allegedly indefinite for how the limitations of "the surface" in claim 1 and "a surface" in claim 3 are related. Applicants have amended claims 1 and 3 accordingly. Withdrawal of the rejections under 35 U.S.C. § 112, ¶2 is solicited.

Rejections Under 35 U.S.C. § 102(b)

Claims 1, 3 and 5 to 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by European Reference EP 0 840 361 A2 to Cheung ("Cheung" hereafter). Applicants have amended independent claims 1 and 5 to explicitly recite a surface of the silicon-oxide-based film has a nitrogen content of about 0.01 atm % to 0.1 atm %. Support for this amendment can be found in the present specification at least in Table 2 on page 14. Cheung fails to disclose or suggest a nitrogen content of about 0.01 atm % to 0.1 atm %, and thus fails to anticipate the presently claimed invention. Withdrawal of the rejection under 35 U.S.C. § 102(b) is solicited.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date November 10, 2003

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.
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